

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Leonard Earl Edgar

Docket No. 2:16-CR-3-1BR

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Leonard Earl Edgar, who, upon an earlier plea of guilty to False Statement Material to the Acquisition of Firearms, in violation of 18 U.S.C. § 924(a)(1)(A), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on October 31, 2016, to the custody of the Bureau of Prisons for a term of 15 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Leonard Earl Edgar was released from custody on June 15, 2017, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 26, 2017, the undersigned probation officer received notification that a criminal records inquiry was conducted by law enforcement authorities in Pasquotank/Camden County, North Carolina. Subsequent correspondence with an officer with the Elizabeth City Police Department in Elizabeth City, North Carolina, revealed that on October 26, 2017, he responded to a residence in the area regarding Edgar and Amber Banks using heroin in his (Edgar's) vehicle which was parked nearby the caller's residence. It is noted that Ms. Banks is a convicted felon and that she is on state post release supervision due to a conviction of Possession With Intent to Sell a Schedule I Controlled Substance. Investigation also revealed that during the night of the offense, Edgar's vehicle was occupied by Brandy Butcher who is a convicted felon and who is on state probation for Driving While Impaired. The caller also alleged that Edgar pointed a firearm at him when he attempted to retrieve Edgar's license plate number. Ms. Banks subsequently exited the vehicle and Edgar left the scene prior to officers' arrival. When the officers arrived at the caller's residence, they located three empty bindles on the ground. The bindles contained a non seizable amount of heroin. Moments later, officers encountered Edgar at a convenience store in the area. A subsequent search of his vehicle revealed a used needle in the passenger area as well as bindles similar to those recovered nearby the caller's residence. No firearm was located in Edgar's vehicle. Edgar was ultimately detained and transported to the magistrate's office; however, no charges resulted because the magistrate found no probable cause Edgar assaulted the alleged victim by pointing a firearm. Edgar was also not charged with possessing drug paraphernalia, but according to the officer, he may charge Edgar with the offense on a later date.

Although no charges resulted from Edgar's contact with law enforcement, he associated with two convicted felons without permission from the probation officer. Additionally, he failed to report the law enforcement contact to the undersigned probation officer within 72 hours although he claimed he did so via a voicemail on October 28, 2017. As a sanction for Edgar's violations, we are respectfully recommending that he be placed on a curfew with electronic monitoring for a period of 60 days. Edgar signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: November 3, 2017

ORDER OF THE COURT

Considered and ordered this 6 day of November, 2017, and ordered filed and
made a part of the records in the above case.

W. Earl Britt
Senior U.S. District Judge

